

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
ALTHEA MILLER,

Plaintiff,

18-CV-735 (SJ) (JO)

-against-

**ORDER ADOPTING  
REPORT AND  
RECOMMENDATION**

MANDEVILLES BISTRO INC. et al.,

Defendants.  
-----X

A P P E A R A N C E S

VIRGINIA & AMBINDER LLP  
40 Broad Street, 7th Floor  
New York, NY 10004  
By: Michele A. Moreno  
Lloyd Robert Ambinder  
*Attorneys for Plaintiff*

ARTHUR A. EDWARDS, PLLC  
572A Flatbush Avenue  
Suite 200  
Brooklyn, NY 11225  
By: Arthur Aden Edwards  
*Attorney for Defendants*

JOHNSON, Senior District Judge:

Presently before the Court is a Report and Recommendation (“Report”) prepared by Magistrate Judge James Orenstein. Judge Orenstein issued the Report on September 5, 2018, and provided the parties with the requisite amount of time to file any objections. Neither party filed any objections to the Report. For the reasons stated herein, this Court affirms and adopts the Report in its entirety.

A district court judge may designate a magistrate judge to hear and determine certain motions pending before the Court and to submit to the Court proposed findings of fact and a recommendation as to the disposition of the motion. See 28 U.S.C. § 636(b)(1). Within 10 days of service of the recommendation, any party may file written objections to the magistrate’s report. See id. Upon de novo review of those portions of the record to which objections were made, the district court judge may affirm or reject the recommendations. See id. The Court is not required to review, under a de novo or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the report and recommendation to which no objections are addressed. See Thomas v. Arn, 474 U.S. 140, 150 (1985). In addition, failure to file timely objections may waive the right to appeal this Court’s Order. See 28 U.S.C. § 636(b)(1); Small v. Sec’y of Health and Human Servs., 892 F.2d 15, 16 (2d Cir. 1989).

In this case, objections to Magistrate Judge Orenstein’s recommendations were due on September 19, 2018. No objections to the Report were filed with this Court. Upon review of the recommendations, this Court adopts and affirms

Magistrate Judge Orenstein's Report in its entirety. The Court finds that the parties' proposed settlement is fair and reasonable. See Cheeks v. Freeport Pancake House, Inc., 796 F.3d 199 (2d Cir. 2015). The Court therefore approves the proposed settlement. The Clerk of the Court is directed to close the case.

SO ORDERED.

Dated: September 21, 2018  
Brooklyn, NY

\_\_\_\_\_/s/  
Sterling Johnson, Jr., U.S.D.J.